

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

MATTHEW M. JACKSON v. STATE OF TENNESSEE

**Appeal from the Criminal Court for Sumner County
No. 906-2000 Jane W. Wheatcraft, Judge**

No. M2003-02057-CCA-R3-CO - Filed October 7, 2004

The Defendant, Matthew M. Jackson, appeals the order of the trial court denying the Defendant's "Motion to Reconsider Order Denying Motion to Vacate and/or Relief from Judgment." The State has filed a motion requesting that this court affirm the trial court's denial of relief pursuant to Rule 20, Rules of the Court of Criminal Appeals. The State's motion is granted and the judgment of the trial court is affirmed.

**Tenn. R. App. P. 3 Appeal as of Right; Judgment of the Criminal Court Affirmed
pursuant to Rule 20, Tenn. Ct. Crim. App. R.**

DAVID H. WELLES, J., delivered the opinion of the court, in which JERRY L. SMITH and ROBERT W. WEDEMEYER, JJ., joined.

Matthew M. Jackson, Bowling Green, Kentucky, Pro Se.

Paul G. Summers, Attorney General and Reporter; Thomas E. Williams, III, Assistant Attorney General; and Lawrence Ray Whitley, District Attorney General, for the appellee, State of Tennessee.

MEMORANDUM OPINION

Our review of the record reflects that the Defendant pleaded guilty to and was convicted of four counts of aggravated robbery on August 10, 2001. Pursuant to his plea agreement, he received four concurrent ten-year sentences.

On March 17, 2003, the Defendant filed a "Motion for Further Relief and Modification of Judgment." The trial court held that it no longer had jurisdiction to modify the judgment and denied the motion. The Defendant attempted to appeal to this Court and on May 30, 2003 an order was entered in this Court dismissing the appeal.

On June 13, 2003, the Defendant filed a "Motion to Vacate and/or Relief from Judgment." The trial court again held that it was without jurisdiction to modify the judgment and that if treated

as a petition for post-conviction relief, the petition was time barred. The Defendant next filed a motion seeking that the trial court reconsider its order, which was also denied. This appeal followed.

The petition alleges generally that the Defendant's constitutional rights were violated in that he received the ineffective assistance of counsel which led to an involuntary guilty plea and that his convictions of four separate aggravated robberies violated his double jeopardy protections.

The Defendant's convictions long ago became final. The claims made by the petitioner do not demonstrate that he is entitled to habeas corpus relief. If treated as a post-conviction petition, the claim is barred by the statute of limitations.

Accordingly, the State's motion is granted. The judgment of the trial court is affirmed in accordance with Rule 20 of the Rules of the Tennessee Court of Criminal Appeals.

DAVID H. WELLES, JUDGE